

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

Vs.
LAWRENCE LUPPI, M.D.

No. C88-044

CONSENT ORDER

Pursuant to Section 5-37-5.2 of the General Laws, a complaint was filed with the Board of Medical Licensure and Discipline, [hereinafter referred to as "Board"], charging Lawrence Luppi, M.D., respondent, with violation of Section 5-37-5.1 of the General Laws. An investigation was conducted by

Investigating Committee II of the Board.

After consideration by Investigating Committee II of the Board, the following constitutes the findings of fact with respect to the professional performance of the Respondent:

1. A patient sought medical attention from Respondent for pain in right hand and "snapping" in her right middle finger. On the first visit, Respondent's physician's assistant examined the middle finger and made a note in his file.
2. Respondent noted abnormality of third extensor tendon of the right hand.
3. Respondent scheduled surgery to correct the problem. Prior to the date scheduled for surgery, Respondent discussed the surgical procedure with the patient.
4. Respondent asked the patient to show him the involved finger. Respondent states that the patient responded by showing her index finger.
5. Respondent asked the patient to demonstrate the "snapping". When the index finger did not snap, the patient explained that it did not always "snap".
6. Respondent alleges that he made a drawing on the patient's index finger to demonstrate what the incision would

8. On the day of surgery, Respondent once again asked to see the patient's finger and he stated that she responded by showing the index finger.

9. Respondent admittedly did not consult his records before the surgery.

10. Respondent operated on the index finger.

11. After the surgery, Respondent dressed the index finger and subsequently applied a splint. During this time, the patient never mentioned that it was her middle finger and not her index finger that was causing the problem. She states that the hand was so swollen that she could not determine the locus of surgery.

12. Approximately three weeks after the surgery, the patient stated to the Respondent that he had operated on the wrong finger.

13. Respondent had, in fact, operated on the wrong finger.

The parties agree that the following operative provisions of this Consent Order are as follows:

1. Respondent is a physician licensed and doing business under and by virtue of the laws of the State of Rhode Island, allopathic license number 4698. Respondent's mailing address is, 530 North Main Street, Providence, Rhode Island.
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
3. Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee II of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent if it is not approved by the Board.
4. Respondent acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Board;

- e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that the Board reviewing this Consent Order may be the same as the Hearing Committee presiding over this matter should it later be brought to an administrative proceeding;
 - j) Any objection to the fact that potential bias against Respondent may occur as a result of the presentation of this Consent Order to the Board.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board. It shall be published as the Board, in the exercise of its discretion, deems appropriate.
6. Acceptance of this Consent Order constitutes an admission of the facts contained herein.
7. Respondent voluntarily accepts the Board's sanction of a reprimand, as provided in Section 5-37-6.3 of the General Laws of the State of Rhode Island and Providence Plantations, 1956, as Amended.
8. Respondent shall notify the Board, in writing, of any change in his address.

Signed this 5 June day of June, 1989.


Lawrence Luppi, M.D.